

REMARKS

Claims 1-13 are the claims currently pending in the Application.

Independent claims 1, 8, 12 and 13 are amended so as to clarify the features recited thereby.

Applicant thanks the Examiner for acknowledging the review and the consideration of the references cited in the Information Disclosure Statements filed September 17, 2001 and September 18, 2002.

Rejection of Claim 8 under 35 U.S.C. § 101

Claim 8 is rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. This rejection is traversed.

Applicant respectfully submits that given Applicant's Disclosure, a person of ordinary skill in the art would have readily understood the technological art to which claim 8 is directed. No amendment is necessary as a matter of law. However, in the interest of expediting prosecution of the Application, claim 8 is amended to clarify further features recited thereby. This amendments introduces no impermissible new matter. Therefore, the 35 U.S.C. § 101 rejection should be withdrawn.

Rejection of Claims 1, 3, 4, 8, 9 and 11-13 under 35 U.S.C. § 102(e)

Claims 1, 3, 4, 8, 9 and 11-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Katayanagi et al. U.S. Patent No. 6,321,983. This rejection is traversed.

Among the problems recognized and solved by Applicant's claimed invention is that the manufacturer of a product or a recycler/reuser of a product cannot know information related to the product's life cycle until the product is collected and the IC tag is read.¹ For example, estimates and management of QCD (Quality/Quantity-Cost- Delivery) of parts or units of the product for reuse or maintenance are not known until the product is recycled, collected or physically inspected. According to an aspect of Applicant's claimed invention, a product, such as a facsimile machine for example, sends using state information to a remote location so that information can be learned about the product, and thus aspects of its life cycle can be managed more effectively.

For at least the following reasons, Applicant's claimed invention is neither anticipated by nor obvious from the cited references. By way of example, independent claims 1, 8, 12 and 13 require sending using state information representing that using state of unit satisfies the condition.

Katayanagi discloses managing a life cycle of products via a recording medium, such as an IC card, that is attached to, or arranged in, the product, and at each site through which the product passes during its life cycle, product life cycle information is stored in the recording medium (Katayanagi, Abstract and col. 2, lines 2-6). In particular, Katayanagi discloses that: maintenance history for a product is recorded in the product recording medium (Katayanagi col. 5, lines 54-65); when the product is no longer needed, the product is recovered and the IC tag is read by the recycling company (Katayanagi, col. 5, lines 4-21); product life cycle databases in a manufacturer

¹ Applicant does not represent that every embodiment of Applicant's claimed invention necessarily solves the problem herein discussed or provides the solutions herein discussed. This discussion merely illustrates aspect of Applicant's claimed invention.

management system, a dealer or sales management system, a service company management system, and a waste disposal or recycling company system are networked so that they may exchange information among themselves over a network (Katayanagi, col. 4, lines 1-9).

Katayanagi does not disclose or suggest sending using state information representing that the using state of the unit satisfies a condition, as *inter alia*, required by independent claims 1, 8, 12 and 13. As discussed, Katayanagi discloses that various events are recorded in a recording medium of a product, but fails to disclose that using state information is sent, let alone that the using state information represents that a certain condition is satisfied.

Further, as discussed Katayanagi does not disclose or suggest that the sending of the using state information occurs when a predetermined condition is satisfied. Nor does Katayanagi disclose or suggest that the sending of the using state information represents that the using state satisfies such a condition, as is further required by independent claims 1, 8, 12 and 13.

In fact, Katayanagi belongs to the prior art recognized by Applicant's claim invention, because Katayanagi does not disclose or suggest the problem of updating a product's life cycle information before the product is collected, brought in for service, or physically inspected.

Claims 3 and 4 depend from independent claim 1, and claims 9 and 11 depend from independent claim 8. Therefore, claim 3, 4, 9 and 11 incorporate novel and non-obvious features of their respective base claims, and are patentably distinguishable

over the prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art.

Claims 2, 5-7 and 10 are rejected under 35 U.S.C. § 103

Claims 2, 5-7 and 10 are rejected under 35 U.S.C. § 103 as being obvious from Katayanagi and Yamashita, et al. U.S. Patent No. 5,594,529. This rejection is traversed.

Independent claim 5 requires, *inter alia*, sending using state information representing that the using state satisfies the condition.

Yamashita does not remedy the deficiencies of Katayanagi as they relate to the above-identified features of the independent claims. Yamashita discloses an imaging device with stock supervisions means (Yamashita, Abstract), such that when stock amounts for various sizes of paper in the imaging device, or for other stock items, are running low, or pass predetermined thresholds, an imaging device supervision system is updated via a communication line, such as a public telephone line, a network link or other similar electronic communication links (Yamashita, col. 6, lines 63-col. 7 line 2).

Thus, Katayanagi and Yamashita, even taken together in combination, do not disclose or suggest a reuse system (or method, medium or product) in which there is sent a using state information representing that a using state satisfies a condition.

Claim 2 depends from independent claim 1, claims 6 and 7 depend from independent claim 5, and claim 10 depends from independent claim 8. Accordingly, claims 2, 6, 7 and 10 incorporate novel and non-obvious features of their respective base claims, including the above-discussed feature, and are patentably distinguishable over the

prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art.

Moreover, Applicant respectfully submits that there would have been no motivation for combining Yamashita with Katayanagi as proposed. The Examiner alleges that the motivation would have been to allow the information to be easily transmitted through the telephone line without the need of setting up a costly system (Office Action, page 7).

First, while arguably information transmitted over a telephone line could make some systems less costly, it is respectfully submitted that this general teaching would not have led a person of ordinary skills in the art to the combination of Yamashita's imaging device stock supervision means with Katayanagi product life cycle management system. This is particularly the case in the absence of some teaching in Katayanagi for reuse or life cycle management in which a product sends state information to a remote processor when a condition is satisfied.

Further, even if combined, it is respectfully submitted that the combination would not have achieved Applicant's claimed invention without impermissible hindsight reconstruction using Applicant's own disclosure. Nowhere in the cited references is there a disclosure of the problem of updating a manufacturer or a recycler of a product with a product's life cycle information, or using state information, prior to the product's recycling, collection or physical inspection. Further, the cited references do not disclose or suggest the solutions provided by Applicant's claimed invention to solve the foregoing problem.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this amendment or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George Brieger". The signature is written in a cursive, slightly stylized font.

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